

Weber County Conditional Use Permit Application

Application submittals will be accepted by appointment only. (801) 399-8791. 2380 Washington Blvd. Suite 240, Ogden, UT 84401

Date Submitted / Completed

8.28.14

Fees (Office Use)

\$225

Receipt Number (Office Use)

3298

File Number (Office Use)

CUP 2014-22

Property Owner Contact Information

Name of Property Owner(s)

Rachel Nielsen

Mailing Address of Property Owner(s)

3778 Willowbrook Lane
Eden, UT 84310

Phone

801-391-5302

Fax

Email Address (required)

~~rachelnielsen@webercounty.com~~
~~rachgot25k@yahoo.com~~

Preferred Method of Written Correspondence

Email Fax Mail

Authorized Representative Contact Information

Name of Person Authorized to Represent the Property Owner(s)

Mailing Address of Authorized Person

Phone

Fax

Email Address

Preferred Method of Written Correspondence

Email Fax Mail

Property Information

Project Name

377 apartment

Total Acreage

1/3 acre

Current Zoning

residential

Approximate Address

3778 Willowbrook Ln
Eden UT 84310

Land Serial Number(s)

22056-0011

Proposed Use

monthly rental

Project Narrative

I have a small basement apartment with separate entrance I'd like to rent out.

Basis for Issuance of Conditional Use Permit

Reasonably anticipated detrimental effects of a proposed conditional use can be substantially mitigated by the proposal or by the imposition of reasonable conditions to achieve compliance with applicable standards. Examples of potential negative impacts are odor, vibration, light, dust, smoke, or noise.

I anticipate little or no impact on neighboring properties. There will be an additional car or possibly two, as it is only a 1 bedroom apartment.

That the proposed use will comply with the regulations and conditions specified in the Zoning Ordinance and other applicable agency standards for such use.

As proposed, I believe my application complies with all regulations

Property Owner Affidavit

I (We), Rachel Nielsen, depose and say that I (we) am (are) the owner(s) of the property identified in this application and that the statements herein contained, the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge.

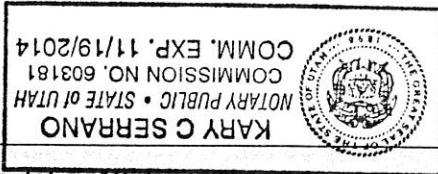
[Signature]

(Property Owner)

RACHEL NIELSEN

(Property Owner)

Subscribed and sworn to me this 29th day of AUGUST, 20 14



[Signature]

(Notary)

Authorized Representative Affidavit

I (We), _____, the owner(s) of the real property described in the attached application, do authorized as my (our) representative(s), _____, to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the County considering this application and to act in all respects as our agent in matters pertaining to the attached application.

(Property Owner)

(Property Owner)

Dated this _____ day of _____, 20 _____, personally appeared before me _____, the signer(s) of the Representative Authorization Affidavit who duly acknowledged to me that they executed the same.

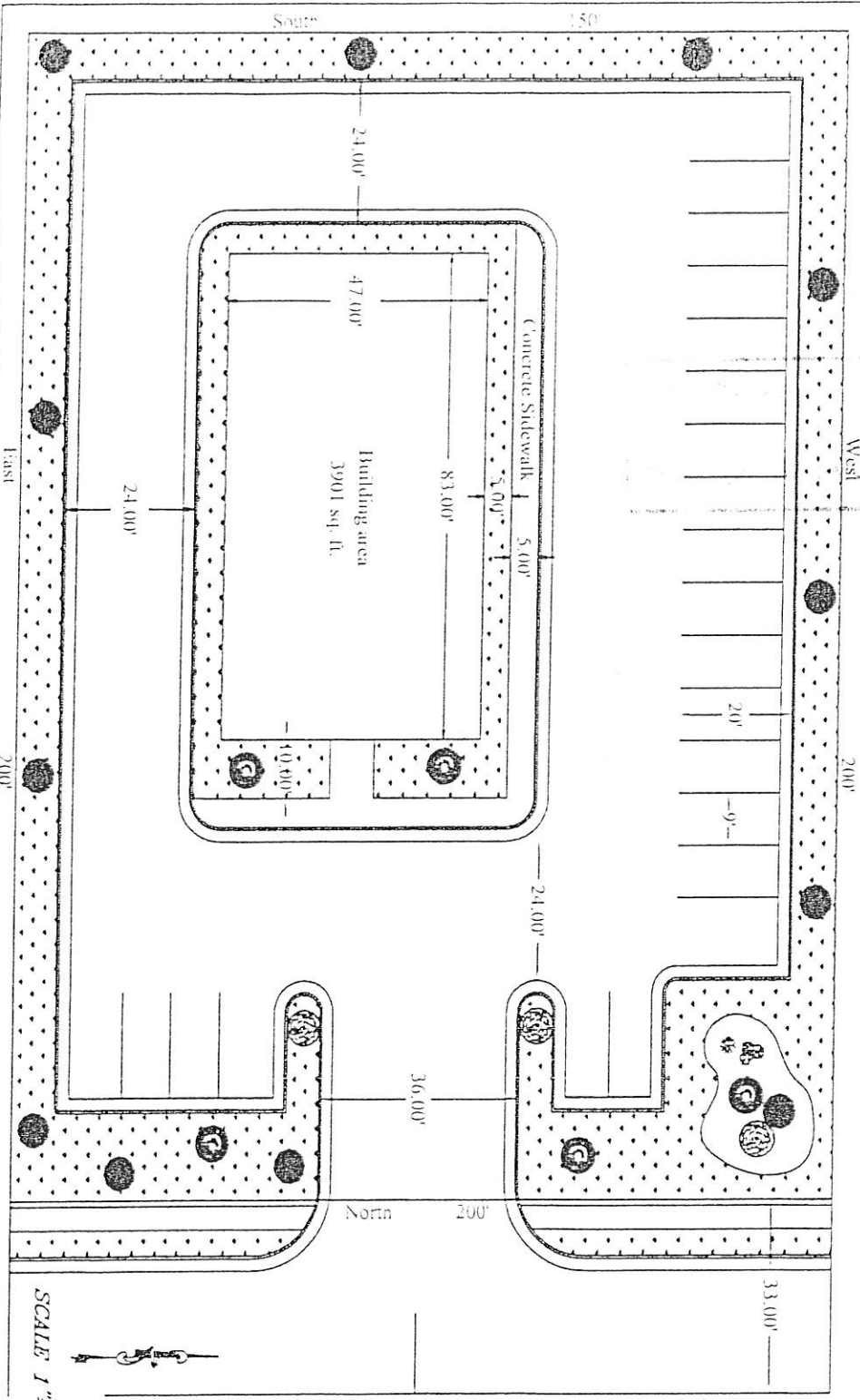
(Notary)

Check List for Site Plan Review

Name of the proposed development
 Name and address of the owner of property
 Name and address of the preparer of the site plan
 Statement describing the intended use of the development
 A north arrow and scale not less than 1:50
 The tax ID number of the development site
 The land use and zoning of the development site
 Adjacent land use and zoning
 * Identify the percentage of the property covered by buildings and hard surface

Adjacent streets shall be shown and identified, along with distance from centerline to property
 Building setbacks and distances
 Easement on property and on adjoining property, that could be affected
 A letter from the Water and Sewer company serving the project or a septic tank approval letter
 * Elevation drawings depicting architectural theme, building features, materials and colors is required
 * A grading and drainage plan is required
 Landscaping plan

* Lighting plan
 Detailed sign information including color and material
 Fire hydrant location
 Parking information - size and number of stalls
 The geometric layout and dimensions of proposed buildings, driveways, parking areas, loading areas, signs and other features of the development
 Existing structures
 Storm water management plan

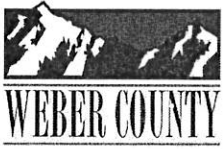


Site Plan Requirement
 sq. ft Percentage

- Total Parcel area
- Building coverage
- Asphalt Coverage
- Landscaping
- Existing Zoning
- Landscaping type, size and number
- Parking Stalls Required
- Parking Stalls Shown
- Proposed Elevation
- Land Use Proposed

* Does not apply to Home Occupation Conditional Use Applications

Note: This is not a substitution for reading the Weber County Zoning Ordinance.



WEBER COUNTY CMS RECEIPTING SYSTEM
OFFICIAL RECEIPT

*** REPRINT ***

Date: 29-AUG-2014

Receipt Nbr: 3298

ID# 23004

Employee / Department: KARY - 4181 - PLANNING
Monies Received From: RACHEL NIELSEN
Template: PUBLIC WORKS
Description: CONDITIONAL USE APPLICATION

The following amount of money has been received and allocated to the various accounts listed below:

Total Currency	\$	<u> </u>	.00
Total Coin	\$	<u> </u>	.00
Total Debit/Credit Card	\$	<u> </u>	.00
Pre-deposit	\$	<u> </u>	.00
Total Checks	\$	<u> </u>	225.00
Grand Total	\$	<u> </u>	<u>225.00</u>

Account Number	Account Name	Comments	Total
2014-08-4181-3419-0550-000	ZONING FEES		225.00
TOTAL \$			<u>225.00</u>

Check Amounts

225.00

Total Checks: 1

Total Check Amounts: \$ 225.00

*** SAVE THIS RECEIPT FOR YOUR RECORDS ***

CHAPTER 42

ACCESSORY APARTMENTS

2007-17

- 42-1. Purpose and Intent
- 42-2. Conditional Uses in any zone that permits residential dwellings
- 42-3. General Provisions
- 42-4. Application Procedure
- 42-5. Moderate Income Housing Provision
- 42-6. Non-conforming Accessory Apartment units
- 42-7. Applicability to existing units

42-1. Purpose and Intent

The purpose of allowing Accessory Apartments within existing dwellings or by addition thereto, subject to conditions by Conditional Use Permit, is to provide for affordable housing for the citizens of Weber County.

42-2. Conditional Uses in any zone that permits residential dwellings

Accessory Apartments may be permitted, by Conditional Use Permit, in any zone in which single-family residential dwelling units are allowed, under the following specifications;

1. Relationship to principal use; appearance. An apartment may be established only accessory to a permitted dwelling. The apartment unit shall have common wall(s) roof, and/or floor(s) with the principal dwelling. The minimum width shall be 20 ft. with the livable floor area of the main home, with an opening from the accessory apartment to the main home, into a common living area of the main home. The opening can be closed off by a door. Basement apartments meet the requirement with the common floor. The stairs that leads upstairs and opens up into the common living space of the main home, can be closed off by a door. The accessory apartment opening into a garage or storage is not considered livable space. The outward appearance of the accessory dwelling shall be consistent with the design and character of the principal dwelling in its construction, materials and finish treatment. There shall be no more than one apartment accessory to a permitted dwelling. There shall be no separate address, mailbox or utilities.
2. Floor area. Living area of an accessory apartment shall contain a minimum of four hundred (400) square feet and shall not exceed a maximum of eight hundred (800) square feet; there shall be no more than two bedrooms in such apartment. In no case shall the floor area exceed twenty-five (25) percent of the gross livable floor area of the total structure.
3. Location. An accessory apartment shall be so located upon a lot to comply with all dimensional requirements of the zoning district for new construction. An apartment located within the perimeter of an existing, (by location), nonconforming dwelling, shall not be subject to such requirement. No apartment shall be located in a basement or cellar unless such basement or cellar constitutes a walkout basement. Additions for the purpose of an accessory apartment shall be made only above or to the side or rear of the principal dwelling.
4. Access. An accessory apartment shall have a minimum of one (1) separate external door access from the principal dwelling located on either the side or the rear of the principal dwelling

5. Amenities. An accessory apartment shall contain separate amenities from the principal dwelling: kitchen facilities, full bath, electric panel with separate disconnect, telephone service.

6. Parking. In addition to the two (2) parking spaces required for the principal dwelling, two off-street parking spaces shall be provided for an accessory apartment in a designated location on the premises. Such spaces shall be on an area prepared to accommodate vehicle parking.

42-3. General Provisions

In addition to the section above, the following general provisions shall apply:

1. Either the principal dwelling or accessory apartment shall be occupied by the owner of the premises at all times, excepting reasonable vacation absences.
2. Nothing shall prevent the owner of the premises from deed restricting aspects of the use of the apartment as long as such restrictions legally conform to any local, state or federal law or regulation.
3. There shall be no limitation on age of structure, time of ownership, or construction of additions to establish an accessory apartment, except as provided in this section.
4. All provisions of the State of Utah Building Code, as amended from time to time, including the securing of requisite building Land Use Permits, Building Permits, and certificates of occupancy, together with the requirements of all other applicable construction codes or regulations, shall be met to establish an accessory apartment.
5. The Fire Marshal shall review and approve any proposal to establish an accessory apartment to assure adequate fire safety.
6. The Morgan-Weber Environmental Health Department or Sewer Service provider shall review and approve any proposal to establish an accessory apartment to assure the premises conforms to the minimum requirements for sewage disposal.

42-4. Application Procedure

The application for a Conditional Use Permit for an accessory apartment shall follow the guidelines in Chapter 22C. The following provisions shall also apply to the establishment of an accessory apartment:

1. A person seeking to establish an accessory apartment shall file an application for Conditional Use Permit, and pay the associated filing fee. The application is to be accompanied by complete floor plans, elevations, and interior layout drawn to scale; including alterations to be made to the existing dwelling exterior; photographs of the exterior of the existing dwelling. The application shall be reviewed and either approved or denied by the Township Planning Commission in which jurisdiction the property lies.
2. Upon receipt of a Conditional Use Permit and Building Permit, and prior to issuance of a Certificate of Occupancy by the Chief Building Official, the Weber County Zoning Enforcement Officer shall inspect the premises. The Conditional Use Permit shall be reviewed for renewal every two (2) years.

42-5. Moderate Income Housing Provision

In the interest of furthering the goals of providing increased affordable housing stock, it is desirable that provision for accessory apartment be established meeting the affordability guidelines established by the Weber County Moderate Income Housing Plan. Owners are encouraged to establish units in consideration of such guidelines.

1. To determine achievement of affordable housing designation, the owner shall provide a copy of the initial rental agreement indicating either the monthly or annual rent of the unit at the time of issuance of the Certificate of Occupancy.

2. The Planning Department Staff, pursuant to its established administrative requirements, shall review rental agreements every two (2) years as part of the Conditional Use approval in order to assure that the affordability of the accessory apartment is upheld and to keep records on numbers and availability of affordable housing.

42-6. Non-conforming Accessory Apartment units

Any accessory apartment type unit remaining without a Conditional Use Permit after the date of May 6, 2006 shall be deemed to be illegal and in violation of the zoning regulations and subject to such enforcement action and penalties which the law may prescribe.

42-7. Applicability to existing units

Recognizing that there currently exists illegally established units of accessory apartments, provision is made under this subsection to allow such units to apply for and receive Conditional Use Permits for a period of one (1) year from the effective date of this ordinance. Upon expiration of this provision on May 6, 2007, this subsection shall become invalid and be removed from the zoning regulations. Existing units shall be reviewed subject to the following:

1. The request shall meet the provisions set forth in this ordinance.
 2. The provisions of this ordinance for the establishment of an approved accessory apartment shall be waived only if found to create no violation of any local, state, or federal ordinance, law or regulation.
-

